

FREE AND REDUCED-PRICE MEALS

Applications

The Division Head shall ensure that the Monterey County Office of Education's (MCOE) application form for free and reduced-price meals and related materials include the statements specified in Education Code (EC) 49557 and 7 Code of Federal Regulations (CFR) 245.5. In addition, the application packet may include the notifications and information listed in EC 49557.2.

The application form and related information shall be distributed to all parents/guardians at the beginning of each school year and shall be available to students at all times during the school day. [EC 48980, 49520; 42 United States Code (USC) 1758; 7 CFR 245.5]

(cf. 3550 - Food Service/Child Nutrition Program)
(cf. 5145.6 - Parental Notifications)

The application form and required information shall also be provided whenever a new student is enrolled.

At the beginning of each school year, the Student Services Division Head or designee shall send a public release, containing the same information supplied to parents/guardians and including eligibility criteria, to local media, the local unemployment office, and any major employers in the MCOE attendance area contemplating large layoffs. Copies of the public release shall be made available upon request to any interested person. [7 CFR 245.5]

(cf. 1112 - Media Relations)

Eligibility

The Student Services Division Head or designee shall determine students' eligibility for the free and reduced-price meals program based on the criteria specified in 42 USC 1758 and 1773 and 7 CFR 245.1-245.13 and made available by the California Department of Education.

When authorized by law, participants in other federal or state programs may be directly certified, without further application, for enrollment in the free and reduced-price meals program. [EC 49561; 42 USC 1758]

(cf. 6173 - Education for Homeless Children)
(cf. 6173.1 - Education for Foster Youth)
(cf. 6175 - Migrant Education Program)

Verification of Eligibility

Not later than November 15 of each year, the Student Services Division Head or designee shall verify the eligibility of a sample of household applications approved for the school year in accordance with the sample sizes and procedures specified in 42 USC 1758 and 7 CFR 245.6a. [42 USC 1758; 7 CFR 245.6a]

If the review indicates that the initial eligibility determination is correct, the Division Head or designee shall verify the approved household application. If the review indicates that the initial eligibility determination is incorrect, the Monterey County Superintendent of Schools (County Superintendent) or designee shall: [42 USC 1758; 7 CFR 245.6a]

1. If the eligibility status changes from reduced price to free, make the increased benefits immediately available and notify the household of the change in benefits
2. If the eligibility status changes from free to reduced price, first verify the application, then notify the household of the correct eligibility status, and, when required by law, send a notice of adverse action as described below
3. If the eligibility status changes from free or reduced price to paid, send the household a notice of adverse action as described below.

If any household is to receive a reduction or termination of benefits as a result of verification activities, or if the household fails to cooperate with verification efforts, the County Superintendent or designee shall reduce or terminate benefits, as applicable, and shall properly document and retain on file the reasons for ineligibility. He/she also shall send a notice of adverse action to any household that is to receive a reduction or termination of benefits. Such notice shall be provided 10 days prior to the actual reduction or termination of benefits. The notice shall advise the household of: [7 CFR 245.6a]

1. The change and the reasons for the change
2. The right to appeal, when the appeal must be filed to ensure continued benefits while awaiting a hearing and decision, and instructions on how to appeal
3. The right to reapply at any time during the school year.

Confidentiality/Release of Records

The County Superintendent designates the following MCOE employee(s) to use individual records pertaining to student participation in the free and reduced-price meals program for the purpose of disaggregation of academic achievement data or for the identification of students in any program improvement school eligible for school choice and supplemental educational services pursuant to 20 USC 6316:

Assistant Superintendent of Student Services

In using the records for such purposes, the following conditions shall be satisfied: [EC

49558]

1. No individual indicators of participation in the free and reduced-price meals program shall be maintained in the permanent records of any student if not otherwise allowed by law.

(cf. 5125 - Student Records)

2. Information regarding individual student participation in the free and reduced-price meals program shall not be publicly released.

(cf. 4119.23/4219.23/4319.23 - Unauthorized Release of Confidential/Privileged Information)

3. All other confidentiality provisions required by law shall be met.
4. Information collected regarding individual students certified to participate in the free and reduced-price meals program shall be destroyed when no longer needed for its intended purpose.

The Student Services Division Head or designee further authorizes the release of information on the school lunch program application to the Monterey County Department of Social Services which determines Medi-Cal program eligibility, provided that the student is approved for free meals and the parent/guardian consents to the sharing of information in accordance with EC 49557.2.

(cf. 5141.6 - School Health Services)

In addition, information on the school lunch program application may be released to the Monterey County Department of Social Services which determines eligibility for participation in the CalFresh program or other nutrition assistance programs, provided the student whose information is to be released is approved for free or reduced-price meals and his/her parent/guardian consents to the sharing of the information. Prior to releasing information to any such local agency, the Student Services Division Head or designee and the local agency shall enter into a memorandum of understanding that, at a minimum, shall include the roles and responsibilities of MCOE and the local agency, the process for sharing the information, and a statement that the local agency may use the information only for purposes directly related to the enrollment of families in the CalFresh or other nutrition assistance program. [EC 49557.3, 49558]

Nondiscrimination Plan

In order to avoid discrimination in the operation of the free and reduced price of meals, MCOE shall ensure the following: [EC 49557; 42 USC 1758]

1. The names of the students shall not be published, posted, or announced in any manner, or used for any purpose other than the National School Lunch and School Breakfast Programs, unless otherwise provided by law.
2. There shall be no overt identification of any of the students by the use of special

tokens or tickets or by any other means.

3. The students shall not be required to work for their meals or for milk.
4. The students shall not be required to use a separate dining area, go through a separate serving line or entrance, or consume their meals or milk at a different time.

(cf. 0410 - Nondiscrimination in Programs and Activities)

(cf. 3555 - Nutrition Program Compliance)

When more than one lunch, breakfast, or type of milk is offered, the students shall have the same choice of meals or milk as is available to those students who pay the full price. [EC 49557; 7 CFR 245.8]

Prices

The maximum price that shall be charged to eligible students for reduced-price meals shall be 40 cents for lunch and 30 cents for breakfast. [42 USC 1758, 1773]

Approved: 03/05/18